

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EDWARD ABREU,	:	
	:	
Petitioner,	:	20cr52-2 (DLC)
	:	21cv10122 (DLC)
-v-	:	
	:	<u>OPINION AND ORDER</u>
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	
	:	
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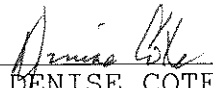
DENISE COTE, District Judge:

In his November 29, 2021 petition, Edward Abreu ("Abreu") represented that his trial counsel told him that he "could not file a[n] appeal" of his conviction. As described in the Opinion issued today, the Court has found by clear and convincing evidence that Abreu's trial counsel did not tell him that he could not file an appeal of his conviction. In support of his petition, Abreu's current counsel appears to present a new argument, specifically, that prior counsel did not consult with Abreu adequately about his right to appeal. Accordingly, it is hereby

ORDERED that any submission by Abreu regarding his trial counsel's failure to consult with him adequately regarding his right to appeal is due **September 20, 2024**. If Abreu does not wish to pursue such an argument, he shall promptly notify the Court.

IT IS FURTHER ORDERED that the Government shall respond to the defendant's submission by **October 4, 2024**; any reply by the defendant is due **October 11**.

Dated: New York, New York  
August 29, 2024

  
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DENISE COTE  
United States District Judge